

# **Exhibit 8**

## **Affidavits**

In the Matter of [REDACTED]

*Affidavit of* [REDACTED]

STATE OF NEW YORK )

COUNTY OF NEW YORK )

ss.:

[REDACTED] being duly sworn, states the following to be true under penalties of perjury:

1. On July 7, 2022, I was a laborer employed by [REDACTED] at a project site known as [REDACTED], also known as Building B. That day, I was working with [REDACTED] doing brickwork on the balcony on the 31<sup>st</sup> floor of Building B.

2. There were three hanging scaffolds doing this work. I was on a scaffold with [REDACTED] while the other two scaffolds had [REDACTED] and [REDACTED] on one, and [REDACTED] and [REDACTED] on another.

3. After lunch, at approximately 2 p.m., we all got onto the scaffolds on a platform approximately 6 feet above the ground, and then brought it up to the level where we would be working using the two motors on each hanging scaffold. There were lifelines/safety lines hanging off the side of the building, with a lifeline for each of us to tie into our harnesses. The lifelines were inserted into rope grabs, which we would then attach to our harnesses. As I got onto the hanging scaffold, I used the 6-foot lanyard that extended out from my harness to attach it to the rope grab. I then adjusted it to the proper height (the top of my head) to allow me to safely operate the motor on the scaffold and bring it up to the needed level. I remained attached to the safety line as the hanging scaffold went up. We would re-adjust the rope grab as necessary depending on where we needed to work.

4. When we reached the 31<sup>st</sup> floor, we stopped the motors on the hanging scaffolds, with my scaffold directly to the right side of the balcony itself.

5. As we were erecting the balconies, some workers had to be on the scaffold putting up brick for the exterior of the balcony, and some on the inside of the balcony putting up brick from the interior of the balcony. We rotated as to who would work from the scaffolds and who would work while standing on the balcony.

6. On July 7, 2022, I was working inside the balcony while [REDACTED] remained on the scaffold working on the exterior of the balcony. When we got to the 31<sup>st</sup> level and stopped our scaffold, I pulled on the lifeline to adjust the rope grab that was attached to the lanyard of my harness to the height of my head, to allow myself enough slack on the rope to move from the scaffold to the balcony where I would be doing brickwork. I then stepped into the balcony, and re-adjusted the rope grab again to allow myself enough room to move around the balcony.

7. On July 7, 2022, [REDACTED] and [REDACTED] were also working from inside the balcony.

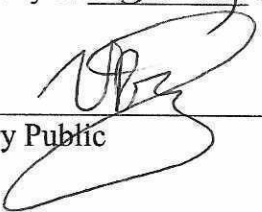
8. I remained working inside the balcony with [REDACTED] and [REDACTED] until the end of the day. During that time, I did not see any accident involving [REDACTED] I did not see [REDACTED] being pulled by his lifeline, I did not see [REDACTED] fall, or anything fall on [REDACTED]

9. [REDACTED] did not make any complaints to me about difficulties with the lanyard, rope grab or lifeline that day. I did not observe [REDACTED] having any problems with the lanyard, rope grab or lifeline that day. I did not observe anything happening to [REDACTED] as we worked at the 31<sup>st</sup> floor level that day. [REDACTED] did not state anything to me about anything happening to him that day.

10. [REDACTED] worked the entire day of July 7, 2022. [REDACTED] returned to work the next day (July 8, 2022) and worked the full day.



11. Toolbox Talks are held at this project site every Monday morning. During those talks, we discuss various safety procedures, including the proper method for stepping onto a scaffold using a safety line. We are taught to make sure that we hook our lanyards to a location on the lifeline that allows for sufficient movement to walk to the location where we are going to be working.

Sworn to before me this  
13<sup>th</sup> day of July 2022

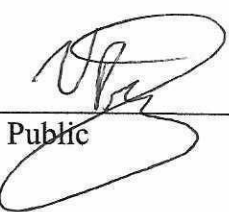
  
\_\_\_\_\_  
Notary Public




VALERIA PRIZIMENTER  
Notary Public, State of New York  
No. 02PR6313063  
Qualified in Kings County  
Commission Expires October 14, 2022

I,  am fluent in both English and Spanish (able to read, write and speak fluently), translated this affidavit from English to Spanish, word for word, to  who acknowledged understanding same

Sworn to before me this 13<sup>th</sup> day  
of July 2022

  
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2. There were three hanging scaffolds doing this work. I was on a scaffold with [REDACTED] while the other two scaffolds had [REDACTED] and [REDACTED] on one, and [REDACTED] and [REDACTED] on another.

3. After lunch, at approximately 2 p.m., we all got onto the scaffolds on a platform approximately 6 feet above the ground, and then brought it up to the level where we would be working using the two motors on each hanging scaffold. There were lifelines/safety lines hanging off the side of the building, with a lifeline for each of us to tie into our harnesses. The lifelines were inserted into rope grabs, which we would then attach to our harnesses. As I got onto the hanging scaffold, I used the 6-foot lanyard that extended out from my harness to attach it to the rope grab. I then adjusted it to the proper height (the top of my head) to allow me to safely operate the motor on the scaffold and bring it up to the needed level. I remained attached to the safety line as the hanging scaffold went up. We would re-adjust the rope grab as necessary depending on where we needed to work.

4. When we reached the 31<sup>st</sup> floor, we stopped the motors on the hanging scaffolds, with my scaffold directly to the right side of the balcony itself.

5. As we were erecting the balconies, some workers had to be on the scaffold putting up brick for the exterior of the balcony, and some on the inside of the balcony putting up brick from the interior of the balcony. We rotated as to who would work from the scaffolds and who would work while standing on the balcony.

6. On July 7, 2022, I was working from the scaffold erecting the exterior of the bricks, while [REDACTED] worked from the interior of the balcony. When we got to the 31<sup>st</sup> level and stopped our scaffold, I pulled on the lifeline to adjust the rope grab that was attached to the lanyard of my harness to the height of my head, to allow myself enough slack on the rope to move to the location on the scaffold to work on the exterior brick. [REDACTED] adjusted his rope grab and stepped into the balcony.

7. On July 7, 2022, [REDACTED] [REDACTED] and [REDACTED] were working from inside the balcony.

8. I remained working on the scaffold until the end of the day. During that time, I did not see any accident involving [REDACTED] I did not see [REDACTED] being pulled by his lifeline, I did not see [REDACTED] fall, or anything fall on [REDACTED]

9. [REDACTED] did not make any complaints to me about difficulties with the lanyard, rope grab or lifeline that day. I did not observe [REDACTED] having any problems with the lanyard, rope grab or lifeline that day. I did not observe anything happening to [REDACTED] as we worked at the 31<sup>st</sup> floor level that day. [REDACTED] did not state anything to me about anything happening to him that day.



10. [REDACTED] worked the entire day of July 7, 2022. [REDACTED] returned to work the next day (July 8, 2022) and worked the full day.

11. Toolbox Talks are held at this project site every Monday morning. During those talks, we discuss various safety procedures, including the proper method for stepping onto a scaffold using a safety line. We are taught to make sure that we hook our lanyards to a location on the lifeline that allows for sufficient movement to walk to the location where we are going to be working.

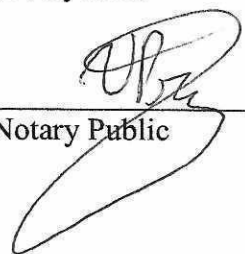
Sworn to before me this  
13<sup>th</sup> day of July 2022

  
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2. There were three hanging scaffolds doing this work. I was on a scaffold with [REDACTED] while the other two scaffolds had [REDACTED] and [REDACTED] on one, and [REDACTED] and [REDACTED] on another.

3. We all got onto the scaffolds on a platform approximately 6 feet above the ground, and then brought it up to the level where we would be working using the two motors on each hanging scaffold. There were lifelines/safety lines hanging off the side of the building, with a lifeline for each of us to tie into our harnesses. The lifelines were inserted into rope grabs, which we would then attach to our harnesses. As I got onto the hanging scaffold, I used the 6-foot lanyard that extended out from my harness to attach it to the rope grab. I then adjusted it to the proper height (the top of my head) to allow me to safely operate the motor on the scaffold and bring it up to the needed level. I remained attached to the safety line as the hanging scaffold went up. We would re-adjust the rope grab as necessary depending on where we needed to work.

4. I operated one motor, while [REDACTED] operated the second motor on the hanging scaffold. [REDACTED] was similarly tied into the rope grab and safety line with his harness. When the hanging scaffolds reached the 31<sup>st</sup> floor, we stopped the motor, with the scaffold directly to the left side of the balcony itself.

5. As we were erecting the balconies, some workers had to be on the scaffold putting up brick for the exterior of the balcony, and some on the inside of the balcony putting up brick from the



interior of the balcony. We rotated as to who would work from the scaffolds and who would work while standing on the balcony.

6. On July 7, 2022, both [REDACTED] and I were going to be erecting the interior of the balcony, thus, we would both be standing on the balcony itself. [REDACTED] and [REDACTED] stopped their scaffold in the front of the balcony, with [REDACTED] and [REDACTED] stopping their scaffold on the right side of the balcony.

7. Once we stopped the scaffold, I was going to get onto the balcony from the scaffold first. I did this by first adjusting the rope grab on the safety line to give myself enough rope to be able to get onto the balcony, and then re-adjusting it once I was on the balcony. I had no difficulty stepping onto the balcony and then re-adjusted my rope grab.

8. [REDACTED] then handed me the bricks, concrete, tools and equipment that we needed to lay the bricks, and which I placed on the bottom of the balcony as he passed them to me.

9. After [REDACTED] passed everything to me, he also stepped from the hanging scaffold onto the balcony to start performing brickwork. [REDACTED] remained attached to the rope grab and lifeline the entire time.

10. [REDACTED] did not make any complaints to me about difficulties with the lanyard, rope grab or lifeline that day. I did not observe [REDACTED] having any problems with the lanyard, rope grab or lifeline that day. I did not observe anything happening to [REDACTED] as we worked at the 31<sup>st</sup> floor level that day.

11. Later in the day, [REDACTED] told him he had pain in his right arm/shoulder, and told me that when he went from the hanging scaffold onto the balcony, he did not adjust the rope grab in such a way to give himself sufficient rope slack to do so, causing the rope to pull as he stepped onto the balcony.

12. [REDACTED] worked the entire day of July 7, 2022. [REDACTED] returned to work the next day (July 8, 2022) and worked the full day.

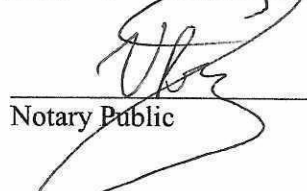
13. [REDACTED] did not fall and nothing fell on him. However, because he improperly hooked his rope grab too high up on the lifeline, it did not allow him to have enough rope slack to properly step

onto the balcony from the scaffold and be able to move to his work location on that balcony until he adjusted the rope grab.

14. Toolbox Talks are held at this project site every Monday morning. During those talks, we discuss various safety procedures, including the proper method for stepping onto a scaffold using a safety line. We are taught to make sure that we hook our lanyards to a location on the lifeline that allows for sufficient movement to walk to the location where we are going to be working.

15. Had [REDACTED] properly hooked his lanyard onto the lifeline (at a lower point that was available to him), the rope would not have pulled him as he stepped onto the balcony.

Sworn to before me this  
13<sup>th</sup> day of July 2022

  
Notary Public

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